

**Office of Select Board
945 Battle Street/Rte. 127
Webster, NH 03303**

6:31 pm – Select Board's Meeting – April 28, 2014

Select Board present: Chairman Roy Fanjoy, Selectman Donovan and Selectman Johnson

The Select Board signed the payroll and check manifests.

James and Linda Hawkins met with the Board at the Board's request to discuss the status of their home built in 2004 regarding a reportedly accessory apartment without Zoning Board approval. They explained that there was no separate apartment, only an extra stove and refrigerator in a room for their daughter's family with all other common areas of the home shared. The decision was for Chairman Fanjoy to make an appointment to visit the home.

The Select Board signed the following for Administrative Assistant Judith Jones:

- Selectman Johnson amended the Select Board Minutes of 3/14/14 to change the time of the start of the meeting from 6:00 to 6:30 pm. He then made a motion to accept the Select Board Minutes of 3/14/14 as amended; seconded by Chairman Fanjoy and approved.
- PO #15 for the Fire Department to Zoll Medical Corporation for one preventive maintenance agreement in the amount of \$255.
- A copy of the Tax Collector's list of properties to be deeded to the Town on May 13th if the taxes are not paid by the deadline will be sent to the Board for their review.

6:45 pm This meeting was moved to the dining area due to the large attendance. The Select Board signed the following for Financial Administrator Wendy Pinkham:

- A timber tax ball and accompanying warrant.

Police Chief Robert Dupuis advised the Select Board of the following:

- PO #14 for the Police Department to Sullivan Tire Co. for 4 tires for the 2010 Crown Vic in the amount of \$431.08.
- 52 calls for service with the highlights read.
- He will provide information regarding \$350 expected via a court order for Board acceptance, which will be posted on an upcoming agenda.
- Selectman Johnson made a motion to accept the donation of two weapons, as listed below, from Sturn, Ruger of Newport made possible with the assistance of resident John Clark; seconded by Selectman Donovan and approved. The Board thanked Mr. Clark.
 - a. Ruger Model SR 762, 308 Cal., Serial #581-03981 with a value of \$2,200.
 - b. Ruger Model 556 AR 15, .223 Cal, Serial #591-23131 with a value of \$2,000.

Resident Carol Boggett inquired as to why the Sheriff's Department responded to a 911 call she placed. Chief Dupuis advised that the Sheriff's Department was providing coverage from 7 am to noon for a time for officers while on vacation.

Road Agent Emmett Bean advised that all was quiet. He inquired about summer projects. The Board will adjourn tonight's meeting until 7:00 am on Tuesday, March 29th to meet with Mr. Bean regarding his objectives. Selectman Donovan had concerns regarding the remaining funds in the supplies and parts line and as to when Calcium Chloride would be applied. Mr. Bean explained that the Town owned a chipper, which is in desperate need of repairs or needs to be disposed of and Calcium Chloride would be applied after the spring rains.

Resident Ellen Kontinos-Cilley asked how many permits Mr. Bean issued during the Weight Limit Posting and if most were for fuel delivery. Mr. Bean issued 62 permits, primarily fuel deliveries, but also including septic, trash haulers, etc. as well.

Selectman Johnson requested and was granted permission by the Board to contact Town Counsel regarding his work as a Selectman. He will report back to the Board.

Resident Tom Mullins commented on who wrote the Police Advisory Committee minutes as they were not signed. PAC Member Kate Merchant advised that she was the Secretary, listed on the rooster as secretary and had written them, noting she was no longer a member.

Resident Robert Pearson requested permission to go to Town Counsel. Chairman Fanjoy confirmed with Chief Dupuis that the investigation he was conducting was going forward, which Chief Dupuis affirmed. Therefore Chairman Fanjoy recommended that after the findings of this investigation, then he would approve Mr. Pearson's request. The Board agreed. Mr. Pearson, referring to the response letter from Selectman Johnson to himself and reading a portion thereof, asked if Selectman Johnson had specific problems with the election officials. Selectman Johnson felt all should be reviewed by the Attorney General, not just himself, to make any future corrections.

Conservation Commissioner Mary Jo MacGowan had a response to questions from the Board regarding any restrictions should the Warner River be designated as scenic, noting there would be no additional restriction other than those already in place. Selectman Donovan inquired as to the Class level of the Warner River, with approximately ½ to ¾ miles in Webster and any potential costs to upgrade if not at the required level. She will get a response for the Board. Mr. Bean inquired about Warner and Hopkinton's participation. Mrs. MacGowan advised that Hopkinton has already supported project.

Committee resignations received: Jeanette Baker and Linda Hoyt Clark from the Police Advisory Committee and Linda Hoyt Clark from the Conservation Commission effective April 28th. Chairman Fanjoy was advised of Kate Merchant's resignation from the PAC on 4/21/14. He then thanked them for their service to the Town. Mr. Bean commented on the resignation of all PAC Members. Chairman Fanjoy advised that the Board will have to review this. A short discussion ensued with comments from the audience. PAC Member Dick Inman recommended an exit interview of the committee, to which Chairman Fanjoy agreed. No decisions were made.

Committee appointments:

- Selectman Donovan moved to appoint Paul King to the Agricultural Committee as a member until 2016; seconded by Selectman Johnson and approved.
- Selectman Johnson moved to appoint Mason Donovan to the Agricultural Committee as a member until 2015; seconded by Chairman Fanjoy and approved.
- Conservation Commission Member Mary Jo MacGowan will make recommendations for a member and an alternate at the next meeting.

- Selectman Donovan moved to appoint Rob Wolinski to the Joint Loss Management Committee as a member until 2017; seconded by Chairman Fanjoy and approved.
- Selectman Donovan moved to appoint Brenda Silver and Leslie Silver to the Parks Committee as members until 2017; seconded by Selectman Johnson and approved.
- For clarification Select Board Representative Roy Fanjoy will continue on the Planning Board and his alternate is Selectman Bruce Johnson.
- Selectman Johnson moved to appoint Susan Roman to the Planning Board as a member until 2017; seconded by Selectman Donovan and approved.
- Selectman Donovan moved to appoint Michael Greenwood to the Refuse Disposal Committee as a member until 2017; seconded by Chairman Fanjoy and approved.
- Selectman Donovan moved to appoint Barbara Corliss to the Zoning Board of Adjustment as a member until 2017; seconded by Selectman Johnson and approved.
- Selectman Donovan moved to appoint MJ Turcotte to the Planning Board as an alternate until 2017; seconded by Selectman Johnson and approved.
- Selectman Donovan moved to appoint Normandie Blake to the Zoning Board of Adjustment as a member until 2017; seconded by Selectman Johnson and approved.

Old Business:

- Winnepocket assessment information discussed. The Board's decision was to wait for the abatements to be finalized and then meet with Cross Country Appraisal in a public session. Mrs. Jones will call Cross Country to bring the abatements to a public meeting.
- Research of Map 5 Lot 5 showed ownership of the Island in the Blackwater River, which was deeded to the Town of Webster by Public Service Company of NH in 1963. Jon Pearson had questioned this at an earlier meeting, but was now satisfied.
- Chairman Fanjoy will contact NH-ENS regarding the 911 alert system and follow through with this.
- The Board agreed to a Site Plan Review for Copart as previously requested by Planning Board Members Sue Roman and Sue Rauth, who will be so advised.
- Selectman Johnson indicated that there was an anonymous letter policy in place that could be amended. He then read from the 2011 Town Meeting Minutes a statement made by then Selectman George Hashem. Selectman Donovan clarified that it was only a statement as did Mr. Hashem. Selectman Johnson retracted the word "policy" noting that the Board has since followed that Statement. Selectman Donovan noted the need to create a policy. Chairman Fanjoy expressed concerns, emphasizing the need for signed complaints. He noted that two years ago the Board had received a signed complaint from Ms. Roberts, who had signed it, and tonight he had copies of the redacted reply, stating the cost of this reply to the Town. Discussion ensued with public comments and Board input. The decision was for Selectman Donovan to write a draft policy for the next meeting.
- Town Clerk Michele Derby met with the Board to discuss the newly created proposed "Cemetery Deed" and her concerns regarding the collection of fees and recording of the deed. Selectman Donovan advised that the fee is \$250 with \$50 to be applied to the sale of Town Property and the remaining for Cemetery Care. Cemetery Commissioner Brenda Silver inquired as to any request for a waiver of fee, which Selectman Donovan advised would require Board approval. This process is going forward and does not affect those that have cemetery lots. The decision was to set up a meeting so for further discussion.

New Business:

- Selectman Donovan brought up public comments made at Board meetings, having received a response from NH Municipal Association Attorney's advising that opening up public comments for every item can open a can of worms. This would not be the same as opening it up at the end of a meeting for general comments. Selectman Johnson referred to the 2007 Selectmen's By-Laws where it is noted that public and Board comments would be allowed. After discussion, it was the Board's decision to add "Public Comments" at the after the old and new business. It was noted that there is an RSA regarding this. Discussion ensued.
- Selectman Donovan discussed public disclosure of conflicts of interest and the need to disclose any conflict i.e. because of an employer, personal, etc. and the need to possibly recuse one's self before any vote is taken by the Board.
- Mrs. Pinkham will again talk with electrician Scott Sweatt regarding the light out at the Veteran's Memorial.
- A request by a taxpayer to make payments for delinquent taxes was approved by the Board.

Public Comments:

Mrs. Merchant inquired as to whether the Board felt there was any conflict of interest as the Police Chief was investigating the Town. The Board advised that the Chief had shared this with other Police Departments and outside agencies would be reviewing this.

Andrea Morrill inquired about the status of the petition regarding possible withdrawal from the Merrimack Valley School District regarding signatures collected, etc. Selectman Donovan advised that nothing had been submitted to the Board yet.

Before going into non-public session, Chairman Fanjoy announced that this meeting would be adjourned until Tuesday, April 29th at 7:00 pm to meet at the Town Hall with the Road Agent.

8:25 pm Selectman Johnson made a motion to go into non-public session pursuant to RSA 9-A:3 II (c) to discuss matters which if discussed in public would likely affect adversely any person's reputation; seconded by Selectman Johnson. Roll call: Chairman Fanjoy – yes; Selectman Donovan – yes and Selectman Johnson – yes.

8:59 pm Chairman Fanjoy reconvened the meeting. He advised that the Board voted to seal the minutes by roll call: Chairman Fanjoy – yes; Selectman Donovan – yes and Selectman Johnson – yes.

9:01 pm Selectman Donovan motioned to adjourn the meeting until 7:00 pm on April 29th; seconded by Selectman Johnson and approved.

Roy E. Fanjoy, Chairman
SB/jj

Mason W. Donovan

Bruce G. Johnson

R. E. Fanjoy

M. W. Donovan

B. G. Johnson